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and Brian Williams*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

THOMAS WRAY HERNDON,  
Plaintiff,  
v.  
STATE OF NEVADA ex rel, NDOC, *et al.*,  
Defendants.

Case No. 3:22-cv-00271-ART-CLB

**ORDER GRANTING MOTION FOR  
EXTENSION OF TIME TO SUBMIT  
JOINT PRETRIAL ORDER**

Defendants, Scott Davis, and Brian Williams, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada, and Douglas R. Rands, Senior Deputy Attorney General, hereby move this Court for an extension of time to file the Joint Pretrial Order. This Motion is made and based upon Federal Rule of Civil Procedure 6(b)(1)(A), the attached Points and Authorities, the papers and pleadings on file herein, and such other and further information as this Court may deem appropriate.

## **MEMORANDUM OF POINTS AND AUTHORITIES**

## I. ARGUMENT

Defendants respectfully request an extension of time out from the current deadline (January 15, 2025) to file the Joint Pretrial Order in this matter. This Court ordered the Parties to provide a proposed Joint Pretrial Order by January 15, 2025. (ECF No. 48) Counsel for the Defendant prepared a proposed Joint Pretrial Order and mailed it to Mr. Herndon, plaintiff in this matter, for his review and comment on December 19, 2024. To date, Mr. Herndon has not responded to counsel with his comments or approval. Due to

1 the holidays, and preparation for a jury trial in Las Vegas, Counsel has neglected to contact  
2 Mr. Herndon to discuss this matter. A call is set for next week, and this matter will be  
3 discussed by the parties. Therefore, the Defendants request additional time to provide the  
4 Joint Pretrial Order to the Court.

5 Federal Rule of Civil Procedure 6(b)(1) governs extensions of time and provides as  
6 follows:

7 When an act may or must be done within a specified time, the  
8 court may, for good cause, extend the time: (A) with or without  
9 motion or notice if the court acts, or if a request is made, before  
the original time or its extension expires; or (B) on motion made  
after the time has expired if the party failed to act because of  
excusable neglect.  
10

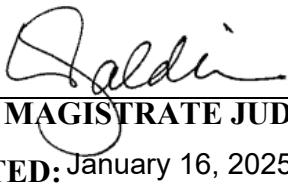
11 Defendants' request is timely and will not hinder or prejudice Plaintiff's case but will  
12 allow the parties to provide a completed Joint Pretrial Order to the Court. The requested  
13 extension of time should permit the parties time to adequately research draft and submit  
14 the order in this case. Defendants assert that the requisite good cause is present to warrant  
15 the requested extension of time. Therefore, the Defendants request an extension, until  
16 **February 14, 2025**, to submit the Proposed Joint Pretrial Order to the Court.

17 DATED this 15th day of January, 2025.

18 AARON D. FORD  
19 Attorney General  
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21 By: /s/Douglas R. Rands  
DOUGLAS R. RANDS, Bar No. 3572  
Senior Deputy Attorney General  
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24 IT IS SO ORDERED.  
25

26   
U.S. MAGISTRATE JUDGE  
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28 DATED: January 16, 2025